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|  NORFOLK Department of Police | | Operational General Order – OPR 770: Bicycles | |
| | | Office of Preparation: Office of Support Services | |
| | | CALEA: | 84.1.2 |
| | | VLEPSC: | None |
| LEGAL REVIEW DATE: | 7-13-16 | PRESCRIBED DATE: | 7/15/16 |
| City Attorney: | | City Manager/Director of Public Safety: | |
| APPROVED BY THE AUTHORITY OF THE CHIEF OF POLICE: | | | |

Purpose:

The purpose of this order is to provide departmental policy and procedures relating to the voluntary registration of bicycles as a service to citizens and the proper vouchering, handling, storage, and disposal of bicycles in the custody of the Norfolk Police Department.

Policy:

Personnel are responsible for preserving evidence, maintaining the chain of custody, and the safekeeping of bicycles until claimed or disposed of as authorized by law.

Personnel are authorized to transport bicycles which can be safely loaded and transported in police vehicles. The Department of Public Works, Towing and Recovery Division, will be contacted to arrange pickup for any bicycle too large or unsafe for transport in a police vehicle.

Supersedes:

1. G.O. OPR-770, dated May 14, 2009
2. Any previously issued directive conflicting with this order

Order Contents:

- I. Registration of Bicycles
- II. Abandoned Bicycles
- III. Unclaimed/Property Bicycles
- IV. Evidentiary Bicycles
- V. Towing and Recovery
- VI. Disposing Bicycles
- VII. Recordkeeping

I. Registration of Bicycles

A. Norfolk City Code, Section 25-379, requiring the registration and licensing of bicycles, was repealed in 2012 by Ordinance No. 44,811 § 1. As a courtesy to Norfolk citizens, the Norfolk Police Department offers the voluntary registration of bicycles as a method of identifying ownership.

1. The Central Records Division (CRD) will be responsible for the printing and recordkeeping of bicycle decals. A log will be maintained by CRD to record the distribution of pre-numbered decals.
2. CRD will have the primary responsibility of registering bicycles. Bicycle decals will be distributed to requesting divisions and the Department of Public Works, Towing and Recovery Division (T&R) for registering purposes.
3. The Property and Evidence Unit is responsible for the printing and distribution of PD 090, Bicycle Registration Certificates. Commands will submit a PD 093, Intra Police Department Requisition form to obtain Bicycle Registration Certificates from the Property and Evidence Unit.
4. Bicycle Registration Certificates can be completed by the owner. The bicycle's serial number will be verified by personnel, if the bicycle is available at the time of registration.
5. Completed Bicycle Registration Certificates will be forwarded to CRD for data entry into the appropriate databases, i.e., Record Management System (RMS) and Laserfiche.
 - a. Registration information, decal number, contained in RMS, Bike Registration, is available to police personnel for performing official law enforcement duties.
 - b. Employees are authorized to release bicycle information to Towing and Recovery, for the purpose of performing assigned tasks outlined in this order.

B. Personnel issuing bicycle decals will:

1. Check the applicant's picture identification. Only owners over the age of eighteen (18), or the parent or guardian if the owner is under the age of eighteen (18), may register a bicycle.
2. Query the National Crime Information Center (NCIC) and RMS bicycle computer files before issuing a decal. This is to determine if an alternative police action or investigation is necessary, such as stolen bicycle or previous registration. Note: The bicycle's serial number is usually located on the bottom of the bicycle frame.
3. Forward the original Bicycle Registration Certificate to CRD and give the copy of the certificate along with a decal to the bicycle owner. There is no fee for registering bicycles and the decal should be displayed on the frame that supports the seat post.

C. Owners of registered bicycles should report any change of information, in order to update the appropriate bicycle record. Owners will:

1. Report changes in personal information, such as address or telephone number. A new Bicycle Registration Certificate will need to be completed, with the decal number. The owner may call or come to Central Records Division, Public Safety Counter. A copy of the Bicycle Registration Certificate will be mailed or given to the owner.
2. In situations when the decal is lost, mutilated, stolen, or misplaced, the owner will need to re-register the bicycle. A police report, IBR, will need to be completed if the decal was stolen.
3. Upon the transfer of ownership, remove and destroy the bicycle decal, as it is non-transferrable, and notify the Police Department.
 - a. It is recommended that owners complete and give the buyer a Bill of Sale.
 - b. A new Bicycle Registration Certificate will need to be completed before receiving a new decal. The owner should bring the Bill of Sale, in case there are any questions regarding ownership.

II. Abandoned Bicycles

Norfolk City Code, Section 25-378, Impoundment and sale of abandoned bicycles, authorizes the impoundment of abandoned bicycles by police officers. An abandoned bicycle under this code section is a bicycle that is left unattended and a reasonable attempt to locate the owner or user in the immediate vicinity has failed.

- A. The officer taking custody of an abandoned bicycle will query NCIC and RMS bicycle computer files, if accessible. This is to determine if alternative police action or investigation is necessary, such as a stolen bicycle and to obtain possible owner information.
- B. The impounding officer may release the bicycle if the owner/user arrives at the scene, or may transport the bicycle if the owner's/user's location is a short distance from the scene. The officer releasing the bicycle will complete PD 933, Property and Evidence Tracking, Section 2, and obtain the owner/user's signature.
- C. If not, the officer impounding the abandoned bicycle will ensure the bicycle is transported to Towing and Recovery for vouchering.

III. Unclaimed/Property Bicycles

- A. Bicycles classified as property and impounded for safekeeping will be stored at Towing and Recovery. This includes items that have been recovered and cannot be released to the owner.
- B. Personnel will refer to G.O. OPR-230: Prisoner Booking, for procedures on handling prisoner property.
- C. Officers are reminded to query NCIC and RMS bicycle computer files, if accessible, when taking these items into custody.

IV. Evidentiary Bicycles

- A. Evidentiary bicycles are bicycles acquired by law enforcement officers pursuant to their duties, needed or reasonably believed to be needed in criminal prosecutions.
- B. The officer taking custody of a bicycle will ensure NCIC and RMS bicycle computer files, if accessible, are queried.
- C. Officers will use photographs of evidentiary bicycles for court purposes when authorized by State Code, Section 19.2-270.1, Use of Photographs as Evidence in Certain Larceny and Burglary Prosecutions, by completing PD 004, Evidence Photograph.
- D. **The Property and Evidence Unit has the sole responsibility for storing evidentiary bicycles.** An officer will not impound a bicycle for evidentiary purposes, unless approved by a supervisor or an investigator.
 - 1. Upon receiving approval, the impounding officer will complete a departmental voucher. The bicycle will be classified as evidence and placed on a separate voucher, referred to as a bicycle voucher.
 - 2. The following information will be listed under the "Remarks" section of the voucher:
 - a. The reason why the bicycle is vouchered as evidence.
 - b. The name of the supervisor or investigator authorizing the hold.
 - c. NCIC check – positive or negative.
 - d. Results from RMS check, e.g., decal information.
 - 3. The vouchering officer will print the bicycle voucher that will accompany the bicycle and affix a tag with the voucher number on the bicycle.
 - 4. Officers vouchering bicycles will call P&E during operating hours. P&E personnel will direct the officer to the appropriate secured facility.
 - a. Bicycles impounded when P&E is closed will be stored in an authorized, temporary, secured room. The impounding officer or the designated command representative will be responsible for contacting and coordinating the bicycle transport.
 - b. Evidentiary bicycles reclassified as property will be released to the owner, via P&E. The releasing officer will ensure that the owner is notified by sending a PD 681, Release of Property.
 - 5. Personnel will refer to G.O. ADM-410: Property and Evidence, for additional vouchering procedures and G.O. ADM-411: Laboratory Examinations, for submitting evidence for testing.

V. Towing and Recovery

- A. Impoundment
 - 1. **Towing and Recovery is responsible for the storage and disposal of bicycles originally classified as property.**

2. The impounding officer is responsible for transporting the bicycle to Towing and Recovery and completing a Bicycle Inventory Sheet. Towing and Recovery will be contacted if the officer believes the item is too large to transport or contains gasoline. Upon request, Towing and Recovery will respond to the officer's location and transport the bicycle to the impound lot.
3. Towing and Recovery Clerk will:
 - a. Review the Bicycle Inventory Sheet, which includes a listing of the bicycle accessories; completed by the impounding officer.
 - b. Photograph of the impounded bicycle.
 - (1) The impounding officer may request a copy of the Bicycle Inventory Sheet and photograph for his/her record. (The T&R voucher may not be completed while the officer is present; depends on work load.)
 - (2) Investigators may request a copy of the T&R voucher and photograph from Towing and Recovery, as needed.
 - c. Enter the information from the Inventory Sheet into the Towing and Recovery electronic voucher system.
 - d. Place a tag, with the T&R voucher number, on each bicycle.
 - e. Store bicycles held as property on Towing and Recovery's lot.
 - f. Mail a Release of Bicycle Letter to the owner of the bicycle, providing owner information is available.

B. Towing and Recovery will be responsible for:

1. Maintaining and updating the bicycle vouchering database when additional information is obtained.
2. Securing bicycles upon receiving notification that a bicycle's classification is changed from property to evidence.
 - a. Officers will notify Towing and Recovery when the bicycle's classification is changed from property to evidence.
 - b. The officer requesting the classification change will be responsible for completing a departmental voucher, tagging the bicycle with the voucher number, and transporting the bicycle to Property and Evidence.
 - c. All actions taken, including notifications, will be included in the officer's notes.
3. Restricting individuals, other than T&R employees, access to storage areas. A logbook will be maintained, indicating the date, individual gaining access, agency, the reason for the access, the escorting T&R employee, storage area or lot, and times in and out of the restricted areas.

4. Releasing Bicycles

- a. The owner should bring the Release of Bicycle letter received from Towing and Recovery to expedite the release process.
- b. An individual other than the owner may pick up the bicycle provided the recipient has, in hand, a letter certified by a notary public, from the owner releasing the bicycle to the name recipient.
- c. The owner or recipient may claim the bicycle from Towing and Recovery, 24 hours a day/7 days a week, upon:
 - (1) Presenting proper identification,
 - (2) Satisfactory showing of ownership,
 - (3) Paying applicable storage charge of \$5.00, and
 - (4) Signing receipt upon release of the bicycle.

VI. Disposing Bicycles

- A. Abandoned bicycles that remain unclaimed for more than 30 days from the date of impoundment will be disposed according to law, City Code, Section 25-378.
- B. Bicycles classified as property that remain unclaimed by the owner for more than 90 days from the date of impoundment will be disposed according to law, City Code, Section 33-61. Prisoner bicycles vouchered for safekeeping cannot be disposed, unless the bicycle remains unclaimed for more than 90 days from the date the prisoner was released from jail.
- C. Bicycles that remain unclaimed and approved for departmental use will be transferred to the requesting command by coordinating efforts with the Property and Evidence Unit.
- D. Unclaimed bicycles will be auctioned according to the City's auction contract.
 - 1. Towing and Recovery will follow the Auction Procedures listed in the Attachment; however, any bicycle with an estimated value over \$500 will be turned over to the Property and Evidence Unit for web-based auctioning (e.g., PropertyRoom.com).
 - 2. Property and Evidence Unit will follow the procedures outlined in their Standard Operating Procedures (SOP) Manual.
- E. Bicycles that have no value will be destroyed.

VII. Recordkeeping

- A. Officers will voucher bicycles and submit paperwork prior to the end of their tour of duty, unless approved by a supervisor.
- B. The City Auditor and/or Police Department Compliance Inspector will conduct an annual bicycle audit. Personnel will allow the City Auditor and/or Compliance Inspector access to bicycles and related records in order to conduct the bicycle audit.

- C. Bicycle forms and records shall be kept in compliance with The Library of Virginia Records Retention and Disposition Schedules and all applicable State laws. (Refer to G.O. ADM-453: Records Retention.)

Definition

Bicycle: Pursuant to Norfolk City Code, Section 25-2, the term “bicycle” will mean “a device propelled solely by human power, upon which a person may ride either on or astride a regular seat attached thereto, having two or more wheels in tandem, including children’s bicycles, except a toy vehicle intended for use by young children”.

Related Documents:

1. G.O. ADM-410: Property and Evidence
2. G.O. ADM-411: Laboratory Examinations
3. G.O. ADM-425: Inspections
4. G.O. ADM-453: Records Retention
5. G.O. ADM-480: Asset Forfeiture
6. G.O. OPR-230: Prisoner Booking
7. G.O. OPR-415: Incident Based Reporting (IBR)

Attachment:

Bicycle Auction Procedures

TOWING AND RECOVERY BICYCLE AUCTION PROCEDURES

Bicycle auctions are conducted by Public Works, Towing and Recovery Division (T&R). The procedures set forth provide Towing and Recovery personnel with direction and guidance in the manner which unclaimed bicycle auctions are to be performed.

Actions Prior to Auction

- Bicycle auctions are to be conducted on the same day as a vehicle auction, providing that the bicycles to be sold at auction meet the criteria as set forth in State and City Codes.
- Once it has been determined which bicycles are to be auctioned, the bicycle listed on each Towing and Recovery's voucher shall be compared with the actual bicycle and the attached bicycle tag, to ensure the correct bicycle is auctioned.
- A bicycle listing, including serial numbers, will be forwarded to the Detective Division, Sergeant in Charge of the General Assignment Section, six days before the auction. Designated command personnel shall perform a secondary NCIC check and RMS query and report findings to Towing and Recovery, before the day of the auction.
- Towing and Recovery coordinates the service of private security for all auctions. In the event private security is unavailable, Towing and Recovery will request a two officer security detail to the auction from the First Patrol Division. Depending on the demands and manpower, the security detail may be reassigned to another patrol division.
- Bicycles that are to be sold at the auction shall be separated from the remaining inventory, with bicycle decals removed. The public is not allowed to view bicycles before the auction.

Auction Procedures

- Towing and Recovery personnel shall coordinate the auction with the auctioneer and shall ensure compliance with the terms contained in the City's Contract.
- Bicycles are sold individually, with a minimum bid of \$5.00. This information shall be indicated on the respective voucher.
- Unauthorized personnel shall not be allowed in the bicycle holding area during the action.
- White out is not allowed on any paperwork associated with the bicycle auction. Errors shall be marked out with a single strikethrough and initialed. (Example: \$50.00 \$5.00 ABC)
- If a signature stamp is used on receipts or other documents, the stamped signature must be initialed. All pay or claim entries must be completed during the purchasing period. A Bill of Sale shall be provided to the buyer and a copy of the Bill of Sale with the bicycle tag shall be affixed to the respective voucher. Buyers may elect to register their bicycles, via Towing and Recovery personnel.
- An auction report listing the bicycles that are sold, the amount that the bicycle is sold for, and the amount of money paid to the City Treasurer; as well as any bicycle not sold or disposed shall be forward to the Property and Evidence Unit.
- Bicycle records and documents shall be maintained in accordance with the Commonwealth of Virginia Records Retention and Disposition Schedule.